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SUBJECT: DFM YAKOVENKO SAYS MOSCOW WELCOMES FRANK
DISCUSSION OF HUMAN RIGHTS RECORD

Classified By: Minister-Counselor for Political Affairs Kirk Augustine.
Reasons 1.4 (B/D).

11. (C) SUMMARY: In a meeting with a visiting delegation from the U.S. Commission on International Religious Freedom June 24, Deputy Foreign Minister Aleksandr Yakovenko:

-- Welcomed frank discussion of Russia's human rights record, emphasizing that his ministry routinely facilitated visits by foreign delegations and special rapporteurs;

-- Said he was personally pleased that Russians were winning cases (and monetary settlements) at the European Court of Human Rights, as that would force correction of weaknesses in the domestic Russian system;

-- Asserted that the number of "hate crimes" against ethnic and religious minorities had not increased in Russia in recent years, despite media reports that suggested the contrary;

-- Said the MFA had taken a lead role within the GOR in ensuring that the recently enacted law governing NGO activity met international standards; and

-- Supported creation of the UN Human Rights Council but hoped it could avoid becoming politicized or engaged in "double standards." END SUMMARY.

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RUSSIA'S HUMAN RIGHTS RECORD
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12. (C) Deputy Foreign Minister Aleksandr Yakovenko told a visiting delegation from the U.S. Commission on International Religious Freedom (USCIRF) June 24 that Russia welcomed frank discussion on its human rights record. (NOTE: Septel discusses the Commission's meeting with Federal Registration Service head Sergey Movchan.) Yakovenko, whose duties include oversight of Russia's relations with the UN and humanitarian affairs, including coordination with NGOs involved in promoting human rights and civil society development, assured the USCIRF delegation that human rights and religious freedom were top GOR priorities. He said the MFA, in collaboration with the office of Human Rights Ombudsman Vladimir Lukin, routinely coordinated visits to Russia by officials like Doudou Diene, the UN Special Rapporteur on Racism, who had just concluded a visit last week. The Ministry also worked closely with the Council of Europe (COE) and regularly hosted briefings for NGO representatives (approximately every 1-2 months) to explain official policies or discuss specific issues like the recently enacted law governing NGO activity.

13. (C) Yakovenko's personal view was that the number of cases involving abuse of ethnic or religious minorities has

remained fairly constant in recent years, despite several disturbing incidents in Moscow and other large cities. In his view, increased media coverage -- which was a "good thing" -- had led to the perception that attacks against minorities had increased. Yakovenko insisted that animosity against ethnic and religious minorities was not a strong sentiment in Russian society, although he acknowledged that attitudes differed in some regions of the country. In any case, it was a situation that the GOR could not allow to get out of hand because it could affect the peace and stability of Russia's multi-ethnic society. President Putin had addressed the issue on several occasions. Yakovenko said he was confident that with the help of the Duma (many of whose deputies were members of ethnic and religious minorities), along with the monitoring roles of the Public Chamber, human rights NGOs, and the media, the situation would remain under control and gradually improve. He added that the government's institutional response to incidents of abuse had become more efficient. In this respect, Yakovenko said he was pleased personally to see that many Russians, including Chechens, had won decisions against the GOR in the European Court of Human Rights (ECHR). The Government was being ordered to pay compensation to some claimants, which he thought would encourage better performance on human rights issues by governmental organizations. Yakovenko noted that the number of cases involving Russia before the ECHR was currently around 6000.

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14. (C) With respect to the NGO law that went into effect in April, Yakovenko asserted that the MFA had taken a lead role in ensuring that it met international standards. Among other

MOSCOW 00006820 002 OF 002

things, the Ministry had voiced its concern that the law be applied fairly and objectively. The MFA had also arranged for officials from the Ministry of Justice and other GOR agencies involved in the law's implementation to consult with COE experts in Strasbourg. Yakovenko added that a Russian NGO had been commissioned to draft a report comparing provisions of the new law with those of other European countries, which he promised to make available to the USCIRF. He also maintained that the Public Chamber would monitor the law's implementation. Ultimately, he said, individual NGOs could appeal negative decisions by the GOR's Federal Registration Service (FRS) in court, and potentially to the ECHR. Yakovenko acknowledged, however, that the GOR, and the FRS in particular, could have clarified prospective procedures earlier and more transparently to lessen anxiety among NGOs.

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15. (C) Turning to the UN Human Rights Council (UNHRC), Yakovenko said Russia welcomed the creation of the new body but was disappointed that the U.S. was not currently represented. He thought the U.S. approach in not immediately seeking election to the body was wrong, since the UNHRC was a "serious organization that would deal with serious issues." It needed the U.S. voice. Yakovenko said the GOR hoped the new body would avoid becoming politicized and refrain from engaging in "double standards." He added that the UNHRC should retain some of the procedures of the former Commission, including welcoming NGO participation in some of the Council's activities. Referring to the first session of the UNHRC in Geneva, Yakovenko observed that the Non-Aligned Movement had already sought -- as it had often tried with the Commission -- to focus the Council's attention on economic and social rights, partly to deflect attention from traditional human rights. He was optimistic that the Council's members would establish a solid structure and

direction for the new organization prior to the close of the first session on June 30.

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COMMENT

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¶6. (C) Yakovenko went out of his way to meet with the USCIRF delegation on a Saturday in a darkened MFA building, and devoted over an hour to the meeting. He was upbeat throughout the meeting and eager to present the Ministry of Foreign Affairs -- and Russia -- in a positive light. Although we have little doubt that the Ministry did what it could to ensure that the NGO law met basic international standards, the chief concern pertains to how fairly and impartially the law will be applied, especially with regard to politically sensitive organizations. Moreover, the reality is that the MFA carries relatively little weight in Russia's domestic policy establishment, where the extent and nature of the NGO law's implementation will be determined.

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